



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/743,622	12/22/2003	Michael Shane Belew	2003-0265	8219

26652 7590 03/07/2005

AT&T CORP.  
P.O. BOX 4110  
MIDDLETOWN, NJ 07748

EXAMINER

PAYER, HWEI SIU CHOU

ART UNIT	PAPER NUMBER
----------	--------------

3724

DATE MAILED: 03/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/743,622	<b>Applicant(s)</b> BELEW ET AL.	
	<b>Examiner</b> Hwei-Siu C. Payer	<b>Art Unit</b> 3724	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-7 and 9 is/are allowed.
- 6) ☒ Claim(s) 10,12,13 and 17-21 is/are rejected.
- 7) ☒ Claim(s) 8,11 and 14-16 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 January 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

*fw*

## **Detailed Action**

### **Drawings Objection**

1. The drawings are objected to because in Fig.6, reference numeral "118" should read --518--.
2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the elliptical cutting edge as cited in claim 21 must be shown or the feature canceled from the claim. No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner,

the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

#### **Objection to the Specification**

The disclosure is objected to because of the following informalities:

(1) In paragraph [0022], "a another" should read --another--.

(2) In paragraph [0035], line 5, "215" should read --225--.

Appropriate correction is required.

#### **Claims Objection**

Claims 8 and 12 are objected to because of the following informalities:

In claims 8 and 12, "the housing" should read --the body--.

Appropriate correction is required.

#### **Claims Rejection - U.S.C. 112, first paragraph**

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claim 21 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one

skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The claimed elliptical cutting edges has no support from the specification as originally filed. Paragraph [0037] of the specification discloses a U-shaped cutting edge 250 (see Fig.4). In a preferred embodiment, it is not clear what shape is defined by "has a shape tracing a 45 degrees ellipse".

### **Claims Rejection - 35 U.S.C. 112, second paragraph**

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 21 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claimed elliptical cutting edges is vague. Does "elliptical" mean --oval--? As the disclosed invention is understood and shown in Fig.4, the cutting edge 250 is not a closed loop "elliptical" cutting edge as claimed.

### **Claims Objection - 35 U.S.C. 103(a)**

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 13, 17, 18 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Welch (U.S. Patent No. 5,377,410) in view of Porter (U.S. Patent No. 3,378,924).

Welch discloses an apparatus for removing a sheath on a cable comprising a body (11) having a central hole (17); a plurality of opposed cutting blades (23) having cutting edges (see column 4, lines 24-25) protruding from the body (11) into the central hole (17), said cutting edges facing the cable, said blades (23) being positioned at cutting angles to a transverse plane of the cable; a plurality of adjusting screws (28) rotatably mounted in the body (11) for urging corresponding ones of the cutting blades (23) toward the cable, wherein the cutting angles can be 45 degrees by adjusting the blades (23) about their pivotal points (36) substantially as claimed except the apparatus lacks at least one continuity test circuit.

Porter shows a cable sheath removing apparatus comprising a continuity test circuit (see column 3, lines 56-75 through lines 1-9 of column 4) for testing electrical continuity between a metallic sub-sheath of the blade and the cutting edge of the apparatus, and a jumper wire (59,60) for connecting the at least one continuity circuit to the metallic sub-sheath of the cable. The continuity test circuit comprises a battery (62/63), an indicator light (52) and a continuity lug (57) for connecting the jumper wire (59,60).

It would have been obvious to one skilled in the art to modify Welch by providing the apparatus with a continuity test circuit and jumper wire for effecting precision stripping of a sheath of a cable as taught by Porter.

3. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Welch (U.S. Patent No. 5,377,410) and Porter (U.S. Patent No. 3,378,924) as applied to claim 13 above, and further in view of Arnot (U.S. Patent No. 4,149,312).

Welch's apparatus as modified above shows all the claimed structure except the two halves (14,16) of the body (11) are locked together by a locking bolt (20) rather than a locking clasp.

However, it is notoriously old well known in the art to lock two halves (55,56) of a body (54) by locking means such as locking clasp as evidenced by Arnot.

Therefore, it would have been obvious to one skilled in the art at the time this invention was made to use a well-known locking clasp such as that of Arnot's for locking Welch's two body halves together. The modification is obvious since it would only involve substituting one known type of locking means for another for locking two body halves together.

4. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Temple, Jr. et al. (U.S. Patent No. 5,093,992) in view of Welch (5,377,410) and Porter (U.S. Patent No. 3,378,924).

Temple, Jr. et al. disclose the claimed method of removing a sheath at a mid sheath point on an optical fiber cable comprising the step of clamping a cutting body (8,15) around the cable (see Fig.2); and advancing the cutter body (8,15) in a longitudinal direction along the cable (see column 2, lines 20-22) so that first and

second cutting blades (13) remove portions of the sheath substantially as claimed except it lacks a blades adjustment step and a continuity circuit indication step.

Welch shows a cable stripper (Fig.5) comprising first and second cutting blades (23) each is adjustable by a respective one of an adjustment screw (29,32), and Porter shows a cable sheath removing apparatus comprising a continuity test circuit (see column 3, lines 56-75 through lines 1-9 of column 4) for testing electrical continuity between a metallic sub-sheath of the blade and the cutting edge of the apparatus.

It would have been obvious to one skilled in the art to modify Temple, Jr. et al. by providing an additional step of blades adjusting step and a continuity circuit indication step for adjusting the depth of the cut and for effecting precision stripping of a sheath of the cable as taught by Welch and Porter, respectively.

5. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Temple, Jr. et al. (U.S. Patent No. 5,093,992), Welch (U.S. Patent No. 5,377,410) and Porter (U.S. Patent No. 3,378,924) as applied to claim 10 above, and further in view of Castelluzzo (U.S. Patent No. 4,517,741).

Temple, Jr. et al. as modified above shows all the claimed method steps of removing a sheath on an optical fiber cable except the cutting blades (13) are supported on a non-magnetized blade support (14) by pins (21) rather than by a magnetic force from a magnetized blade support.

However, it is well known in the art to provide a magnetized blade support for supporting a cutting blade as evidenced Castelluzzo (see column 3, lines 17-20).



Therefore, it would have been obvious to one skilled in the art at the time this invention was made to further modify Temple, Jr. et al. by using a magnetized blade support for supporting the cutting blades (13). The modification is obvious since it would only involve substituting one known type of blade support for another for supporting a cutting blade.

#### **Indication of Allowable Subject Matter**

1. Claims 1-7 and 9 are allowed.
2. Claim 8 is objected to but would be allowable if amended to overcome the objection as set forth.
3. Claims 11 and 14-16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### **Prior Art Citations**

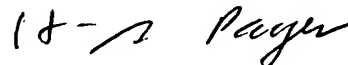
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Wiener, Putz, Hudson, Persson, Faust, Takimoto et al., Mori et al. and Wheary are cited as art of interest.

**Point of Contact**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hwei-Siu C. Payer whose telephone number is 571-272-4511. The examiner can normally be reached on Monday through Friday, 7:00 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan N. Shoap can be reached on 571-272-4514. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for official communications and 571-273-4511 for proposed amendments.

H Payer  
March 1, 2005



Hwei-Siu Payer  
Primary Examiner